IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25632 of 2008
MADAN PASWAN
Versus
STATE OF BIHAR
---

3. 07.11.2008 Heard the learned Counsel for the petitioner and the learned counsel for the State.

The petitioner apprehends arrest in a Police case under Sections 307 and other provisions of the Penal Code.

The submission is that as per the FIR the petitioner and Yogendra Paswan assaulted on the head. Only one injury on the head has been found. It is acknowledged to be grievous in nature. Yogendra Paswan has already been enlarged on regular bail.

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Learned Counsel for the State points out that it is the petitioner who is stated to have made the first assault corroborated during investigation by FIR witnesses.

The naming of the petitioner as the first assailant on the head causing grievous injury corroborated during investigation is sufficient to deny him privilege of anticipatory bail.

This application is rejected.

Any application for regular bail on behalf of the petitioner shall be considered by the court below on its own merit including grant of regular bail to co-accused without being prejudiced by the present order.

**Snkumar/-**

**(Navin Sinha,J.)**